

**UNITED STATES BANKRUPTCY APPELLATE PANEL
OF THE TENTH CIRCUIT**

IN RE PATRICIA ANN EVANS,

Debtor.

BAP No. CO-10-031

PATRICIA ANN EVANS,

Appellant,

Bankr. No. 10-12741
Chapter 7

v.

THE BANK OF NEW YORK TRUST
COMPANY, N.A., as successor to
JPMorgan Chase Bank, N.A., as Trustee,

Appellee.

ORDER OF DISMISSAL

On May 14, 2010, this Court entered a Notice of Deficiency and Order to Show Cause (“Order”), requiring the Appellant to do the following, or the appeal would be dismissed:

Pay to the bankruptcy court the filing and docketing fees, 28 U.S.C. § 1930(b), (c), or file in the bankruptcy court a fee waiver application under § 1930(f) and file status reports.

On May 14, 2010, this Court also entered a Notice of Deficiency and Order to Show Cause (“Second Order”), requiring the Appellant to correct the following deficiency:

The Appellant’s Notice of Appeal does not contain identifying information about the order(s) being appealed. Fed. R. Bankr. P. 8001(a).

While it appears that the Appellant has filed a fee waiver application in the bankruptcy court, the deadline has passed without any response to the Order’s requirement to file a status report. While a response was received to the Second Order providing the required identifying information about the bankruptcy court orders appealed from, the response was deficient for failure to include the required three copies. Fed. R. Bankr. P. 8008(a). Finally, the Appellant has failed to timely file an Entry of Appearance, Statement of Interested Parties and Statement Regarding Oral Argument. 10th Cir. BAP L.R. 8001-4.

Accordingly, it is HEREBY ORDERED that this appeal is DISMISSED for failure to prosecute. Fed. R. Bankr. P. 8001(a); 10th Cir. BAP L.R. 8018-4(c).

For the Panel:
Barbara A. Schermerhorn, Clerk of Court

By:

A handwritten signature in blue ink that reads "Gregory D. Wright". The signature is written in a cursive, flowing style.

Gregory Wright
Deputy Clerk